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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 RICHARD DEAN MERTEN,

7 Plaintiff,

8 v.

9 WELDON MARK GILBERT, PIERCE
COUNTY JAIL, and OFFICER GARDNER,

10 Defendants.

No. C11-5641 RBL/KLS

ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS AND
DIRECTING INSTITUTION TO
CALCULATE, COLLECT, AND
FORWARD PAYMENTS

11 The Court, having reviewed Plaintiff's application to proceed in forma pauperis (ECF
12 No. 1) does hereby find and **ORDER:**

13 Plaintiff's declaration indicates he is unable to afford the court's filing fee or give
14 security therefor. Accordingly, Plaintiff's application to proceed as a pauper is **GRANTED. As**
15 **set forth below, an initial partial filing fee will be collected, and Plaintiff is required to**
16 **make monthly payments of 20 percent of the preceding months income credited to his/her**
17 **account until the full amount of the filing fee is satisfied.**

18 Pursuant to 28 U.S.C. § 1915 and Plaintiff's approved application to proceed *in forma*
19 *pauperis*, the agency having custody of the above named Plaintiff is directed to calculate an
20 initial partial filing fee equal to 20 percent of greater of -- the average monthly deposits to the
21 prisoner's account or the average monthly balance in the prisoner's account for the 6-month
22 period immediately preceding the date of this Order. The initial partial filing fee should be
23 forwarded to the Court Clerk as soon as practicable.
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1 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is
2 directed to collect and forward payments equal to 20 percent of the prisoner's preceding month's
3 income credited to the prisoner's account. In the event that the monthly payment would reduce
4 the prisoner's account below \$10.00, the agency should collect and forward only that amount
5 which would reduce the prisoner's account to the \$10.00 level. Please note that this \$10.00 limit
6 does not apply to the initial partial filing fee described above. Finally, the monthly payments
7 should be collected and forwarded to the court until the entire filing fee (\$350.00) for this matter
8 has been paid.
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10 The Clerk is directed to send plaintiff a copy of this Order and the General Order, along
11 with a copy of Plaintiff's Acknowledgment and Authorization portion of the IFP application to
12 the attention of the inmate account manager of the Pierce County Jail, Tacoma, Washington.
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14 DATED this 30th day of August, 2011.

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16 Karen L. Strombom
17 United States Magistrate Judge
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